

REMARKS/ARGUMENTS

This Response is to the Final Office Action of March 25, 2005, in which the Office rejected claims 1-28, which constitute all pending claims. Therefore, claims 1-28 are present for examination. Claims 1, 11, 18 and 24 are independent claims, and each has been amended. No new matter is added, and applicant respectfully requests reconsideration of this application.

Examiner Interview

On July 19, 2005, the Examiner granted an interview to discuss the current status of the rejections. The undersigned thanks the Examiner for his courtesy in discussing the Application. All claims were discussed in light of the cited art. No final agreement was reached, but this response is believed to address the Examiner's concerns expressed in the interview.

35 U.S.C. §102 Rejection, Maslov

The Office Action has rejected claims 1-7, 9-16, 21 and 24 under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent No. 6,538,673 to Maslov (hereinafter "Maslov"). For a valid anticipation rejection, the Office must show that each and every limitation from the claims appears in a single piece of prior art. With the amendments, applicants believe limitations from the independent claims 1, 11, 18 and 24 are neither taught nor suggested in Maslov. More specifically, Maslov cannot be relied on to teach or suggest a "selection control" that is "displayed on a screen." Applicant respectfully requests that the anticipation rejection be withdrawn for these reasons.

Maslov Reference: Each of the independent claims, 1, 11, 18, and 24, specifically require a "selection control" that is "displayed on a screen." A careful examination of Maslov indicates that the reference teaches something quite different.

The Final Office Action points out that Maslov teaches how a "(s)electd source document fragment is highlighted" (Maslov col. 8, line 41). The Office Action further illustrates that the "arrow keys," "mouse clicks and keyboard keys" may be used to "extend, contract or move sideways the *selection*" (emphasis added, Maslov, col. 5 lines 50-53). Maslov thus teaches

that the *highlighted fragment* can be extended, contracted, or moved *directly* by the computer keys or mouse. These physical controls directly manipulate the size and configuration of the highlighted fragments without any additional on screen control or interface. This is a very different concept than set forth in independent claims 1, 11, 18, and 24, which call for a *separate* selection control on screen.

Claim Language: Each of the independent claims, 1, 11, 18, and 24, first require the "selection of an element ... wherein the element defines a highlighted selection area on the screen." It may be argued that this part of the claim can be considered the equivalent of the highlighted document fragment suggested by Maslov. In the Specification, this concept is discussed, and a "highlight(ed) ... selection area" is illustrated (See Original Application, page 10, lines 9-11; and Figures 7 and 8).

Claims 1, 11, 18 and 24 each require *another* component. In addition to highlighted selection element, these claims call for a "selection control displayed on a screen." This is on top of the "selection of an element" part of the claims. The "selection control" is thus clearly a separate item than the highlighted element, and this fact is evident from the structure and plain language of the claim.

The Specification also illustrates this point. Figures 7 and 8 of the Specification show the highlighted element (reference character 712) and the selection control (reference character 708) as two distinct on screen components (See Original Application, page 10, lines 8-14; and Figures 7 and 8).

The "selection control" described in the independent claims is taught to be a separate thing in addition to the keys and mouse. The claims indicate that the control is to be "displayed on the screen ... wherein the selection control is distinct from the highlighted selection area on the screen." This teaches a soft control to be displayed on a screen, not a physical control as suggested by Maslov. This clearly differentiates the claims from the cited reference.

Dismissing the additional on screen control as adding nothing to the keyboard and mouse is akin to saying a browser adds nothing to the keyboard and mouse. A "selection control

displayed on a screen" adds functionality to the Maslov reference. The Maslov reference is silent on how, when or if an on screen selection control might be used and does not suggest a separate on screen selection control. The present invention includes a separate selection control believed by Applicant to be advantageous over those that do not because of the greater functionality that such a control could afford. Applicant believes the claimed invention is clearly allowable over Maslov, and respectfully request reconsideration of this application for the reasons cited above.

Claims 2-10 and 12-17, 19-23, and 25-28 each recite limitations in addition to those in independent claims 1, 11, 18, and 24. Such claims are believed allowable for at least the reasons given above.

35 U.S.C. §103 Rejection, Maslov in view of W3C's "HTML 4.0 Specification"; and Maslov

The Office Action has rejected claims 17-20 and 22-23 under 35 U.S.C. §103(a) as being unpatentable over Maslov in view of the cited portions of W3C's, "HTML 4.0 Specification: Chapter 18: Scripts," 04/24/98, <http://www.w3.org/TR/1998/REC-html40-19980424/interact/scripts.html>, pp. 1-9 to (hereinafter "W3C's"). The Office Action has also rejected claims 8 and 27 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of U.S. Patent No. 6,538,673 to Maslov.

Claims 8, 17-20, 22-23, and 27, 11, 13, 16, 19 and 20 are allowable for the reasons that their respective parent claims are. Further, motivation for the specific combination of elements is lacking, as discussed in the remarks section of the Amendment submitted on November 24, 2004.

CONCLUSION

For at least the reasons cited above, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 09/862,987
Amdt. dated July 20, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2151

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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